

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-051183

09/12/2012

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT
C. Vigil
Deputy

IN RE THE MARRIAGE OF
THOMAS T BEATIE

MICHAEL P CLANCY

AND

NANCY J BEATIE

DAVID B HIGGINS

JUDGE HYATT

MINUTE ENTRY

Northeast Facility, Courtroom 104

4:05 p.m. This is the time set for hearing on Respondent's Request for Temporary Orders Re: Parenting Time. Petitioner, Thomas Beatie, is present with counsel, Michael Clancy. Respondent, Nancy Beatie, is present with counsel, David Higgins.

A record of this proceeding is made by audio and/or video in lieu of a court reporter.

The Rule of Exclusion of Witnesses having been invoked by the Court, Rick Hurst and Amber Nicholas are sworn, admonished and excluded from the courtroom.

Thomas Beatie and Nancy Beatie are sworn.

For Respondent:

Nancy Beatie now testifies.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-051183

09/12/2012

Respondent's Exhibits 1 through 4 are marked for identification.

Respondent's Exhibits 3 and 4 are received in evidence.

Respondent's Exhibits 1 and 2 are offered, but not received.

Court's Exhibit 5 is marked and received in evidence.

Rick Hurst now testifies.

Witness is excused.

Respondent rests.

For Petitioner:

Thomas Beatie now testifies.

Amber Nicholas now testifies.

Witness is excused.

Both sides rest.

IT IS ORDERED that Respondent's request to modify parenting time on a temporary basis is granted.

The Court adopts the following:

The parenting plan submitted by Mr. Higgins, Paragraphs 2A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 15. (Paragraph 9 is the right of first refusal and that will be applied in the following way: If a parent is not physically present in the same house, condominium or apartment as the children by 9:00 p.m. that parent must notify the other parent and let the other parent take care of the children that evening.)

With respect to Paragraph 2D, Petitioner will have the children on New Year's Day and Thanksgiving and Respondent will have the children on Christmas Day and New Year's Eve. The Court adopts Mr. Higgin's language at the end of Paragraph 2D with regard to the start and end times for holidays.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-051183

09/12/2012

IT IS FURTHER ORDERED that all exchanges will be at a public location, to be worked out between the parties. If they are unable to do so, they shall seek the assistance of their counsel.

This Court, at the hearing in January, will not consider any oral testimony about issues arising at exchanges. If somebody wants to make an issue about the other parent's behavior at the exchanges, the Court will consider it only if it is supported by a video recording.

IT IS FURTHER ORDERED modifying the Order of Protection previously issued on May 22, 2012 so as to remove all three (3) minor children from the Order of Protection.

ISSUED: Hearing Order

Mr. Higgins is directed to submit a formal order for the Court's approval.

5:25 a.m. Hearing concludes.

FILED: Exhibit Worksheet

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.